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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,592	06/23/2003	Ken Ota	033730-003	5509

7590 04/16/2007
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EXAMINER

QIN, YIXING

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/600,592

Applicant(s)

OTA, KEN

Examiner

Yixing Qin

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/6/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Regarding claims 1-6 and 9-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Owen et al (U.S. Patent No. 6,836,630)

Regarding claims 1, 12, Owen discloses a color reproduction system, comprising:

a plurality of selectively activatable imaging components, each of which is associated with a different respective color; (Fig. 1, items 122, 124, 126, 128)

means for identifying colors in an image to be reproduced; (column 7, lines 5-23 – gives an example of only using black toner) and

a controller which disables selected ones of said imaging components that are not associated with any of the identified colors in the image. (column 7, lines 5-23)

Regarding claims 2, 13, Owen discloses wherein said imaging components are movable elements of a toner cartridge. (Fig. 1, items 122, 124, 126, 128 are CMYK elements)

Regarding claims 3, 14, Owen discloses wherein said movable elements comprise rotatable sleeves. (abstract)

Regarding claims 4, 15, Owen discloses wherein said imaging components further comprise a laser associated with each of the toner cartridges. (column 6, lines 33-34)

Regarding claims 5, 16, Owen discloses wherein said imaging components comprise photoconductive drums. (column 6, lines 43-47)

Regarding claim 6, Owen discloses wherein said identifying means comprises a printer driver. (column 11, line 64 – column 12, line 18 – the disengagement program acts as a printer driver).

Regarding claim 17, Owen discloses wherein said identifying and activating steps are performed on a page-by-page basis for the document to be printed. (column 11, line 64 – column 12, line 18).

Regarding claims 9-11, 18-20, Owen discloses wherein the color reproduction system is a laser printer/facsimile machine/photocopying machine. (column 1, lines 15-21)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

II. Claim 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Owen et al (U.S. Patent No. 6,836,630) in view of Official Notice

Regarding claim 7, Owen discloses selectively activating print elements in response to identifying which colors are needed to print a document.

It does not explicitly disclose "wherein said identifying means comprises a printer engine that is responsive to data in a page description language."

However, PDL is well known in the printing art to be used to describe print jobs.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used PDL.

The motivation would have been to use a conventional way of identifying print data for the purposes of compatibility.

Therefore, it would have been obvious to vary Owen's invention to obtain the invention as specified.

Regarding claim 8, Owen discloses selectively activating print elements in response to identifying which colors are needed to print a document.

It does not explicitly disclose "a clutch, wherein the controller selectively disables the clutch based on the disabled imaging components."

However, Owen has disengagement units 200A-200C that can be used to selectively disengage toner transfer devices. Using a clutch would just be using a different mechanism to perform the same function.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used a clutch.

The motivation would have been to use an alternate mechanism depending on the needs of the designer.

Therefore, it would have been obvious to use a clutch to obtain the invention as specified.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


YQ


TWYLER LAMB
SUPERVISORY PATENT EXAMINER